

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:09-CV-192-D

JOSE GUILLERMO JIMENEZ  
HERNANDEZ,

Plaintiff,

v.

PREMIER HOTELS, LLC d/b/a  
TRAVELODGE, HOTEL PLUS, LLC  
d/b/a BEST VALUE INN AND SUITES,  
and SANJEEV BADHIWALA,

Defendants.

**ORDER**

On October 7, 2010, the court heard oral argument on the pending motions. As stated in open court and incorporated herein by reference, plaintiff's motion for reconsideration [D.E. 18] is GRANTED in part and DENIED in part. The court declines to strike the estoppel defense. The court strikes the waiver defense, the unclean hands defense, and the seventh, eighth, and ninth defenses.

Plaintiff's motion for a protective order is DENIED. Plaintiff has failed to meet his burden to show good cause, especially in light of the hotly contested credibility issues in this case. This ruling is not a ruling on the admissibility of evidence at trial. Such issues await another day on a more fully developed record.

The parties' motion to extend time and amend the scheduling order [D.E. 21] is GRANTED. The parties shall submit a joint proposed amendment to the scheduling order not later than October 15, 2010.

SO ORDERED. This 7 day of October 2010.

  
JAMES C. DEVER III  
United States District Judge